



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

08/669,056

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/669,056	06/24/96	NACHMAN	B INFINITY-3.0
EXAMINER			

LM31/0119

MARVIN NACHMAN
315 SAYBROOK RD
VILLANOVA PA 19085

ART UNIT	PAPER NUMBER
LEE, C	21

2722

DATE MAILED:
01/19/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 10-28-99
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 27-55 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 27-55 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 2722

1. Applicant's arguments filed Oct. 28, 1999 have been fully considered but they are not persuasive.

2. Claim 40 is objected to because when "between" is used, "facsimile machine and said computer" should be used, not "facsimile machine or said computer"..

3. Claims 27-35, 40, and 43-55 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

In claim 27, line 1, "The use" lacks antecedent basis.

Claims 32-34 and 41 are rejected as being dependent upon the rejected claim 27.

In claim 28, line 1, "The use" lacks antecedent basis. Further, is the "fax modem" same as any of the "facsimile modems" ?

In claim 29, line 1, "The transfer" lacks antecedent basis.

In claim 30, line 1, "The transfer" lacks antecedent basis.

In claim 31, line 1, "The transfer" lacks antecedent basis.

In claims 32-34, are "a facsimile machine" and "a computer" same as the "facsimile machine" and "computer of claim 27 ? If yes, -- the -- or -- said -- should be used instead of "a".

In claim 35, line 1, "The transfer" lacks antecedent basis.

Art Unit: 2722

In claim 40, is "a facsimile machine" the same as the "facsimile machine" of claim 36 ? If yes, -- the -- or -- said -- should be used instead of "a".

In claim 43, in part (a), line 3, ""the active public telephone network" lacks antecedent basis.

Claims 44-48 are rejected as being dependent upon the rejected claim 43.

In claim 49, line 1, "The use" lacks antecedent basis. Line 2, "the public network telephone line" and "the transfer" lack antecedent bases.

In claim 50, line 1, "The use" lacks antecedent basis. Line 2, "the telephone line" and "the transfer" lack antecedent bases.

In claim 51, in part (a), line 3, "the public telephone line" lacks antecedent basis.

In claims 52 and 53, line 2, "can operate" is indefinite since "can operate" means that the facsimile machine can operate but it does not mean that the facsimile machine actually operates as a scanning device. Lines 2-3, "the telephone line" lacks antecedent basis.

In claim 53, part (c), line 3, use of "and/or" is indefinite because it is unclear whether "and" or "or" is the intended claim limitation.

In claim 54, the claim is a method claim. However, "means for coupling" is claimed.

In claim 55, line 1, "The transfer" lacks antecedent basis. Lines 4-5, is "a computer" the same as the "computer" of line 2 ? If yes, -- the -- or -- said -- should be used instead of "a".

In claim 43, in part (a), line 3, "the active public telephone network" lacks antecedent basis.

Art Unit: 2722

Claims 45 and 46 are rejected as being dependent upon claim 43.

4. Claims 27-31, 35-38, 40-44, and 47-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Perkins (5,452,106).

Regarding claim 27, Perkins discloses using a facsimile machine (transceiver 1) as a scanner or a printer for a computer (2). Perkins clearly states at col. 9, lines 29-33 that the facsimile device may be provided on a card for location in the computer. the card would have connector for the facsimile transceiver to connect the computer directly to the facsimile transceiver. Because the fax card is internal to the computer and the connection between the facsimile transceiver and the computer is a direct connection, the signal or data transfer between the facsimile transceiver and the computer is interpreted to be non-interrupted or uninterrupted, or without manipulation or modification of the scanned document image signals from the facsimile transceiver or the data from the computer to be printed. The direction connection of the facsimile transceiver (1) and the computer (2) is isolated from the telephone line.

Regarding claim 28, see discussion for claim 27. The claim recites that the transmission state includes one of a), b), and c) claimed. In part b), the internal initiation being the "computer mode" is met by Perkins' PC-fax mode (col. 7, line 5).

Regarding claim 29, see discussion for claims 27 and 28.

Regarding claim 30, see discussion for claim 27. The connector (col. 9, line 31) is inherently a RS 232 or a RJ 11.

Art Unit: 2722

Regarding claim 31, see discussion for claim 27. The signals being transferred are representative of scanned images from the facsimile transceiver (1) which is a standard facsimile machine. The computer is an office product.

Regarding claim 35, as discussed for claim 27 above, the document from the computer (2) is printed at the facsimile machine (1).

Regarding claim 36, see discussion for claim 27. The facsimile transceiver (1) communicates with another facsimile machine using a public telephone line. The computer (2) communicates using a telephone line (at 15). Both the facsimile machine (1) and the computer (2) are inherently placed in a simulated off-hook condition.

Regarding claims 37, 38 and 40, the connector (col. 9, line 31) is inherently a RS 232 or RJ 11 port.

Regarding claims 41 and 42, it is inherent that the scanned data is optically recognized and converted into character codes at the computer (2).

Regarding claims 43 and 51-53, see Perkins discussed above.

Regarding claim 44, Perkins teaches using a serial data port (5).

Regarding claim 47, the serial data being transferred is digital serial data.

Regarding claim 48, it is inherent that the scanned data is optically recognized and converted into character codes at the computer (2).

Regarding claim 49 and 50, see Perkins discussed above.

Regarding claims 54 and 55, see discussion for claim 27.

Art Unit: 2722

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee at telephone number (703) 305-4867.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at telephone number (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 306-5406 (for formal communications intended for entry)

(703) 308-5397 (for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA
Sixth Floor (Receptionist)

C. L.

Jan. 12, 2000

Cheukfan Lee
